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**STUDIO TORTA** 10/563308

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**BY FAX (01 + 02 sheets)**

Turin, June 7, 2005

Our Case E-1750/03

Dear Sirs,

Re: International Application No. PCT/IT2004/000015  
in the name of BARCHEMICALS DI BARANI CORRADO IMPRESA INDIVIDUALE

Please find herewith enclosed comments submitted on an informal basis in accordance with the decision of the PCT Assembly and as set out in paragraph 292D of the Applicant's Guide.

It is hereby expressly requested to send the enclosed comments to all designated Offices, before which the application enters the national phase within 30 months from the priority date. In particular, it is expressly requested to send the enclosed comments together with the written opinion to the EPO and the USPTO, before which the national phases will soon be entered.

Kind regards,

  
Dr. Ing. Simone BONGIOVANNI

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Turin, June 7, 2005

Our Case E-1750/03

Dear Sirs,

Re: International Application No. PCT/IT2004/000015  
in the name of BARCHEMICALS DI BARANI CORRADO IMPRESA INDIVIDUALE

### **Informal comments on the written opinion of the ISA in accordance with the decision of the PCT Assembly and as set out in paragraph 292D of the Applicant's Guide**

With reference to the Written Opinion of the International Searching Authority dated October the 6<sup>th</sup> 2004 it is hereby respectfully submitted that Claim 1 of the application in issue as filed is new and inventive (i.e. non obvious) in view of the cited prior art (in particular US 5961845).

In this regard, it should be pointed out what follows.

Claim 1 of the application in issue clearly recites that the container (2) "has a collecting portion (6) for containing the aqueous solution" and that a loading chamber (9) is located "above the collecting portion" and "is designed to contain the solid chemical substance (10)". In other words, the solid chemical substance is kept, in use, above the collecting portion, *i.e.* above where the water is contained.

On the other hand, the loading chamber 32 disclosed in US 5961845 is not positioned above the collecting portion containing the aqueous solution 46, but it is designed in such a way that the chemical substance 30 is kept, in use, inside the aqueous solution 46 (figure 3 clearly shows that the loading chamber 32 extends in the aqueous solution 46; in column 2, lines 20-22 it is expressly stated that the pouch 30 containing the chemical substance is positioned "near the bottom portion of the apparatus", *i.e.* inside the collecting portion).

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IAP20 Rec'd PCT/PTO 29 DEC 2005

It follows that the device recited in Claim 1 of the application in issue structurally differs from the device disclosed by US 5961845 and that, as a consequence, Claim 1 is novel over the cited prior art.

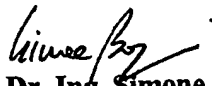
As far as inventive step (non-obviousness) is concerned it is important to point out that the structural differences between the recited device and the state of the art are highly improving. In particular, it is possible, using a device as recited in Claim 1 of the application in issue, to gradually dissolve the chemical substance, to reduce the development of gasses having an unpleasant smell and to limit the deposition of the solid chemical substance. No one of the devices disclosed in the cited documents can obtain such results; indeed, no one of the cited documents even only suggests how to obtain such results.

More specifically, starting from US 5961845, the technical problem solved by the application in issue is to provide a device that is capable of dissolving gradually the solid chemical substance and reducing the level of gasses having an unpleasant smell. Such problem is solved by the application in issue by providing a particular positioning of the components (in particular, loading chamber, collecting portion, water-dispersion means) of the device. Neither US 5961845 nor any of the other cited documents identify or solve such a problem in any suitable way.

Please note that in US 5961845, as the pouch 30 of the chemical substance is placed directly inside water 46, the dissolution of the chemical substance is not at all gradual and/or adjustable.

In view of the above, the Claims as filed should be deemed new and inventive (non-obvious) and, thus, in order for acceptance.

Best regards,



Dr. Ing. Simone BONGIOVANNI